IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

:: O R D E R ::

1. D.B. CIVIL CONTEMPT PETITION NO. 184/2003
(Municipal Corporation, Jodhpur Vs. Prem Kishore Agrawal & Anr)

2. D.B. CIVIL CONTEMPT PETITION NO. 227/2003
(Municipal Corporation, Jodhpur Vs. Bhavya Khatri Namkin Bhandar, Jodhpur)

3. D.B. CIVIL CONTEMPT PETITION NO. 228/2003
(Municipal Corporation, Jodhpur Vs. National Handloom Corporation & Anr)

4. D.B. CIVIL CONTEMPT PETITION NO. 229/2003
(Municipal Corporation, Jodhpur Vs. Parmendra Kumar Jain)

5. D.B. CIVIL CONTEMPT PETITION NO. 238/2003
(Municipal Corporation, Jodhpur Vs. Ganesh Handicraft Thro. Mahaveer)

6. D.B. CIVIL CONTEMPT PETITION NO. 237/2003
(Municipal Corporation, Jodhpur Vs. Vimal Handloom Corporation)

7. D.B. CIVIL CONTEMPT PETITION NO. 239/2003
(Municipal Corporation, Jodhpur Vs. Gehlot Cloth Centre Thro. Mahaveer Singh)

8. D.B. CIVIL CONTEMPT PETITION NO. 243/2003
(Municipal Corporation, Jodhpur Vs. M/s. Vijay Electronics & Ors)

9. D.B. CIVIL CONTEMPT PETITION NO. 256/2003
(Municipal Corporation, Jodhpur Vs. Living in Style)

10. D.B. CIVIL CONTEMPT PETITION NO. 257/2003
(Municipal Corporation, Jodhpur Vs. Sagar Jooti Corner)

11. D.B. CIVIL CONTEMPT PETITION NO. 258/2003
(Municipal Corporation, Jodhpur Vs. Radhika Footwear)

12. D.B. CIVIL CONTEMPT PETITION NO. 259/2003
(Municipal Corporation, Jodhpur Vs. B.P.L. Surbhi Showroom)

13. D.B. CIVIL CONTEMPT PETITION NO. 260/2003
(Municipal Corporation, Jodhpur Vs. Lal's Bhandej)

14. D.B. CIVIL CONTEMPT PETITION NO. 261/2003
(Municipal Corporation, Jodhpur Vs. Five Star Juice)

15. D.B. CIVIL CONTEMPT PETITION NO. 262/2003
(Municipal Corporation, Jodhpur Vs. Yogesh Trading Corporation)

16. D.B. CIVIL CONTEMPT PETITION NO. 263/2003
(Municipal Corporation, Jodhpur Vs. Hanwant Sariya Bhandej)

17. D.B. CIVIL CONTEMPT PETITION NO. 264/2003
(Municipal Corporation, Jodhpur Vs. Janta Dal Bati Choorma)

18. D.B. CIVIL CONTEMPT PETITION NO. 267/2003
(Municipal Corporation, Jodhpur Vs. Hotel Vinayak Palace)

19. D.B. CIVIL CONTEMPT PETITION NO. 268/2003
(Municipal Corporation, Jodhpur Vs. Poonam Hotel)

20. D.B. CIVIL CONTEMPT PETITION NO. 269/2003
(Municipal Corporation, Jodhpur Vs. Anarkali Bandhej)

21. D.B. CIVIL CONTEMPT PETITION NO. 270/2003
(Municipal Corporation, Jodhpur Vs. Hotel Mona)

22. D.B. CIVIL CONTEMPT PETITION NO. 271/2003
(Municipal Corporation, Jodhpur Vs. Jodhpur Central Cooperative Bank Ltd)

23. D.B. CIVIL CONTEMPT PETITION NO. 272/2003
(Municipal Corporation, Jodhpur Vs. National Handloom Corporation & Ors)

24. D.B. CIVIL CONTEMPT PETITION NO. 273/2003
(Municipal Corporation, Jodhpur Vs. Mahesh Shoes)

25. D.B. CIVIL CONTEMPT PETITION NO. 274/2003
(Municipal Corporation, Jodhpur Vs. Sapna Readymade Store)

26. D.B. CIVIL CONTEMPT PETITION NO. 275/2003
(Municipal Corporation, Jodhpur Vs. Janta Garments)

27. D.B. CIVIL CONTEMPT PETITION NO. 276/2003
(Municipal Corporation, Jodhpur Vs. Bhavya Khatri Namkin)

28. D.B. CIVIL CONTEMPT PETITION NO. 277/2003
(Municipal Corporation, Jodhpur Vs. Vimal Handloom)

29. D.B. CIVIL CONTEMPT PETITION NO. 278/2003
(Municipal Corporation, Jodhpur Vs. Vinod Provision Store)

30. D.B. CIVIL CONTEMPT PETITION NO. 287/2003
(Municipal Corporation, Jodhpur Vs. Ganpati Bags)

31. D.B. CIVIL CONTEMPT PETITION NO. 38/2004
(Municipal Corporation, Jodhpur Vs. Janta Sweet Home Thro. Jethmal)

32. D.B. CIVIL CONTEMPT PETITION NO. 39/2004
(Municipal Corporation, Jodhpur Vs. M/s. Radhika Footwear Thro. Smt. Saroj)

33. D.B. CIVIL CONTEMPT PETITION NO. 40/2004
(Municipal Corporation, Jodhpur Vs. M/s. Sagar Jooti Corner Thro. Prakash)

34. D.B. CIVIL CONTEMPT PETITION NO. 41/2004
(Municipal Corporation, Jodhpur Vs. Viva Selection Thro. Nanak Ram & Ors)

35. D.B. CIVIL CONTEMPT PETITION NO. 42/2004
(Municipal Corporation, Jodhpur Vs. Shubham Saree Thro. Anil)

36. D.B. CIVIL CONTEMPT PETITION NO. 43/2004
(Municipal Corporation, Jodhpur Vs. Lal's Bandhej Emporium Thro. Lal Chand)

37. D.B. CIVIL CONTEMPT PETITION NO. 124/2004
(Municipal Corporation, Jodhpur Vs. Maan Singh Deora)

D.B. CIVIL CONTEMPT PETITIONS UNDER SECTION 12 OF THE CONTEMPT OF COURT'S ACT, 1971.

DATE OF ORDER : February 13th, 2007

P R E S E N T

HON'BLE MR. JUSTICE N.N.MATHUR
HON'BLE MR. JUSTICE MANAK MOHTA

Mr. K.N.Joshi)
Mr. Kailash Nath Joshi)
Mr. Yaswant Mehta) for the Municipal Corporation, Jodhpur.

Mr. J.P.Joshi)
Mr. M.S.Singhvi)
Mr. Vijay Bishnoi)
Mr. P.K.Lohra)
Mr. Sanjeev Johari)
Mr. S.D.Purohit)
Mr. Mahesh Bora)

Mr. B.L.Maheshwari)
Mr. Bheem Arora)
Mr. Vikas Balia)
Mr. Sunil Mehta)
Mr. B.P.Bohra)
Mr. Manjul Srimali)
Mr. M.L.Vishnoi)
Mr. Mahendra Prajapat)
Mr. R.G.Dave)
Mr. K.L.Maheshwari)
Mr. M.K.Prajapat)
Mr. K. K. Khatri)
Mr. Rajesh Choudhary)
Mr. M.L.Choudhary)
Mr. Haidar Aga)
Mr. P.C.Solanki)
Mr. G.L.Lohar)
Mr. D.S.Rathore)
Mr. J. Chopra)
Mr. Rishi Chouhan)
Mr. Harish Purohit)
Mr. P.D.Davi)
Ms. Prem Lata Dabi)
Mr. J.K.Mutah)
Mr. M.S.Rajpurohit) for the respective parties.

BY THE COURT : (PER HON'BLE MR. MATHUR, J.)

This group of contempt petitions arises from the order of this Court dated 15.04.2002 passed in D.B.Civil Writ Petition No. 6073/1993 (Mahendra Lodha Vs. State of Rajashtan). All the shop keepers of the Nai Sarak were directed to keep the Verandah open and remove encroachments. They were further directed not to keep any articles or goods on the Verandah. It was impressed upon that the Verandah shall be made available to the pedestrians. The shop keepers were repeatedly impressed upon to keep the Verandah open but they did not do so. In

these compelling circumstances, the Municipal Corporation has filed the contempt petitions against the defaulter shop keepers. This Court by order dated 28.09.2004 constituted a Committee to suggest the ways to short out the problem of congestion on the Nai Sarak. The Committee has submitted the report. During the pendency of the contempt petitions, each of the shop keepers has given an undertaking that they will keep the Verandah open for the pedestrians. This Court directed the Chief Judicial Magistrate, Jodhpur to inspect and make a report. It is reported that the orders of this Court are being complied with.

In view of the report, the notices of contempt in each petition stands discharged. Accordingly, the group of contempt petitions stands disposed of.

(MANAK MOHTA), J. **(N.N.MATHUR), J.**

ms rathore